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10/720,859	11/24/2003	Craig L. Reding	03-1013	5176

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EXAMINER

ANWAH, OLISA

ART UNIT

PAPER NUMBER

2645

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/720,859	Applicant(s) REDING ET AL.	
	Examiner Olisa Anwah	Art Unit 2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-86 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-86 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

Art Unit: 2645

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 1-8, 16-32, 38-49, 56-72 and 78-86 are rejected under 35 U.S.C. § 102(e) as being anticipated by Ben-Shachar et al, U.S. Patent Application Publication No. 2003/0169330 (hereinafter Ben-Shachar).

Regarding claim 1, Ben-Shachar discloses a method for recording a conference call between a plurality of users (see Figure 1a), comprising:

establishing a conference call between a plurality of users (20A, 20B, 20C) including an initiating user (paragraph 0074);

Art Unit: 2645

ascertaining identities of a plurality of destination devices for an audio stream corresponding to the conference call, the destination devices corresponding to the plurality of users (paragraph 0053);

providing the audio stream to the plurality of destination devices (320 from Figure 3a);

storing data contained in the audio stream (325); and

replaying, at at least one of the destination devices, a selected portion of the audio stream (366).

Regarding claim 2, see paragraph 0053.

Regarding claim 3, see paragraph 0053.

Regarding claim 4, see paragraph 0053.

Regarding claim 5, see Figure 3a.

Regarding claim 6, see Figure 1a.

Regarding claim 7, see Figure 1b.

Regarding claim 8, see Figure 1b.

Claim 16 is rejected for the same reasons as claim 1.

Regarding claim 17, see paragraph 0053.

Regarding claim 18, see paragraph 0054.

Regarding claim 19, see Figure 1b.

Regarding claim 20, see Figure 1a.

Regarding claim 21, see Figure 3c.

Art Unit: 2645

Regarding claim 22, see Figure 3c.

Claim 23 is rejected for the same reasons as claim 1.

Claim 24 is rejected for the same reasons as claim 1.

Regarding claim 25, see paragraph 0053.

Regarding claim 26, see paragraph 0053.

Regarding claim 27, see Figure 3.

Regarding claim 28, see Figure 1a.

Regarding claim 29, see Figure 1b.

Regarding claim 30, see Figure 1b.

Regarding claim 31, see Figures 1-3.

Regarding claim 32, see Figure 1.

Regarding claim 38, see paragraph 0054.

Regarding claim 39, see Figure 1.

Regarding claim 40, see Figure 3c.

Claim 41 is rejected for the same reasons as claim 1.

Regarding claim 42, see paragraph 0054.

Regarding claim 43, see paragraph 0053.

Regarding claim 44, see paragraph 0053.

Regarding claim 45, see Figure 1.

Regarding claim 46, see Figure 1a.

Regarding claim 47, see Figure 1b.

Regarding claim 48, see Figure 1b.

Art Unit: 2645

Claim 56 is rejected for the same reasons as claim 1.

Regarding claim 57, see paragraph 0054.

Regarding claim 58, see paragraph 0054.

Regarding claim 59, see paragraph 0054.

Regarding claim 60, see Figure 1a.

Regarding claim 61, see paragraph 0054.

Regarding claim 62, see Figure 3c.

Claim 63 is rejected for the same reasons as claim 1.

Claim 64 is rejected for the same reasons as claim 1.

Regarding claim 65, see paragraph 0054.

Regarding claim 66, see paragraph 0053.

Regarding claim 67, see Figure 3a.

Regarding claim 68, see Figure 1a.

Regarding claim 69, see Figure 1b.

Regarding claim 70, see Figure 1b.

Claim 71 is rejected for the same reasons as claim 1.

Regarding claim 72, see Figure 1.

Regarding claim 78, see paragraph 0054.

Regarding claim 79, see Figures 1-3.

Regarding claim 80, see Figure 3c.

Claim 81 is rejected for the same reasons as claim 1.

Claim 82 is rejected for the same reasons as claim 1.

Claim 83 is rejected for the same reasons as claim 1.

Art Unit: 2645

Regarding claim 84, see Figures 1-3.

Regarding claim 85, see Figures 1-3.

Regarding claim 86, see Figures 1-3.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 9-11, 33-35, 49-51 and 73-75 are rejected under 35 U.S.C § 103(a) as being unpatentable over Ben-Shachar in view of Schoof (hereinafter Schoof).

Regarding claim 11, Ben-Shachar fails to disclose the claimed playing limitation. Nonetheless Schoof teaches this limitation (column 10). Hence it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ben-Shachar with the playback modes of Schoof. This modification would have improved user friendliness by allowing a participant to playback those portions of the conference record

Art Unit: 2645

where a particular participant or group of participants spoke or communicated as suggested by Schoof.

Claim 9 is rejected for the same reasons as claim 11.

Claim 10 is rejected for the same reasons as claim 11.

Claim 33 is rejected for the same reasons as claim 11.

Claim 34 is rejected for the same reasons as claim 11.

Claim 35 is rejected for the same reasons as claim 11.

Claim 49 is rejected for the same reasons as claim 11.

Claim 50 is rejected for the same reasons as claim 11.

Claim 51 is rejected for the same reasons as claim 11.

Claim 73 is rejected for the same reasons as claim 11.

Claim 74 is rejected for the same reasons as claim 11.

Claim 75 is rejected for the same reasons as claim 11.

6. Claims 14, 15, 54 and 55 are rejected under 35 U.S.C § 103(a) as being unpatentable over Ben-Shachar in view of Caspi et al, U.S. Patent Application Publication No. 2004/0249884 (hereinafter Caspi).

Regarding claim 15, Ben-Shachar fails to disclose the claimed recording limitation. Nonetheless Caspi teaches this limitation (paragraph 0009). Hence it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ben-Shachar with the recording function of Caspi.

Art Unit: 2645

This modification would have improved the efficiency Ben-Shachar by allowing a reviewing party to review relevant portions of the conference as suggested by Caspi.

Claim 55 is rejected for the same reasons as claim 15.

Regarding claim 14, Ben-Shachar fails to disclose the claimed playing limitation. Nonetheless Caspi teaches this limitation (paragraphs 0004 and 0071). Hence it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ben-Shachar with the playing function of Caspi. This modification would have improved the efficiency Ben-Shachar by allowing a reviewing party to review relevant portions of the conference as suggested by Caspi.

Claim 54 is rejected for the same reasons as claim 14.

7. Claims 12, 13, 36, 37, 52, 53, 76 and 77 are rejected under 35 U.S.C § 103(a) as being unpatentable over Ben-Shachar in view of Dalal et al, U.S. Patent Application Publication No. 2003/0014488 (hereinafter Dalal).

Regarding claim 12, Ben-Shachar does not teach the claimed determining and deleting steps. All the same Dalal discloses these limitations (see paragraphs 0039-0041). As a result, it would have been obvious to one of ordinary skill in the art at

Art Unit: 2645

the time the invention was made to modify Ben-Shachar with the deleting limitation of Dalal. This modification would have improved the efficiency of Ben-Shachar by freeing resources as suggested by Dalal.

Regarding claim 13, see paragraphs 0039-0041 of Dalal.

Claim 36 is rejected for the same reasons as claim 12.

Claim 37 is rejected for the same reasons as claim 13.

Claim 52 is rejected for the same reasons as claim 12.

Claim 53 is rejected for the same reasons as claim 13.

Claim 76 is rejected for the same reasons as claim 12.

Claim 77 is rejected for the same reasons as claim 13.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 571-272-7533. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Art Unit: 2645

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

O.A.

Olisa Anwah
Patent Examiner
April 1, 2005



FAN TSANG
SUPERVISORY PATENT EXAMINER
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